

CHAPTER 126.

ASSIGNMENTS OF ERROR IN APPEALS TO THE SUPREME COURT.

H. F. 5.

AN ACT to repeal sections four thousand one hundred and thirty-six (4136), and four thousand one hundred and thirty-seven (4137) of the code, relating to assignments of error in appeals to the supreme court, and to enact a substitute therefor.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repealed—assignment of errors not required. That sections four thousand one hundred and thirty-six (4136) and four thousand one hundred and thirty-seven (4137) of the code be and they are hereby repealed, and in lieu thereof is enacted the following:

“No assignment of errors shall be required in any case at law or in equity now pending or hereafter docketed in the supreme court.”

SEC. 2. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved February 18, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital, February 19, 1904, and the Register and Leader, February 20, 1904.

W. B. MARTIN,
Secretary of State.

CHAPTER 127.

CHANGING NAMES.

H. F. 316.

AN ACT repealing chapter eighteen (18) title twenty-one (XXI) of the code and enacting a substitute therefor, relative to change of names.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Repealed. Chapter eighteen (18) title twenty-one (XXI), of the code is hereby repealed and the following is enacted in lieu thereof:

“**SEC. 2. Who authorized.** Any person, under no civil disabilities, who has attained his or her majority and is unmarried, if a female, desiring to change his or her name, may do so as provided in this chapter.

“**SEC. 3. Statement—what to contain.** Such person shall make and subscribe to a statement under oath showing that he or she is a resident of the county where such application is made and of the state of Iowa for a period of not less than one year; his or her place of residence, giving lot and block if in a city, town or village and street number and business address if any, and the section, township, range and name of civil township if not in a city or town; the different places of residence and times of such residence for the past five years; place and date of birth, and, if of foreign birth, the date of immigration to the United States; legal name and name or names by which such person is usually known and new name as changed or adopted; name of parents of such person, his or her height and color of hair and eyes; the reason or cause for change of name briefly and concisely stated, and there shall be incorporated in such statement or attached thereto a concise description of all real estate within this state the title to which is in the person making such statement.

"SEC. 4. **Affidavit of freeholder.** An affidavit of the freeholder of the county shall be attached to such statement to the effect that affiant has personally investigated the facts set out in same and that the same are true; that the person filing such statement is an actual resident of the county and the identical person he or she is represented to be.

"SEC. 5. **Statement filed and recorded.** Such statement shall be presented to the clerk of the district court who shall file same if it is found to be in substantial compliance with all of the provisions of this chapter and not otherwise, and enter same of record in a book kept for that purpose and index same both under the former name and new name, and shall enter upon the back the date of filing, the book and page where recorded and serial number thereof and file same in his office.

"SEC. 6. **Re-indexing real estate.** When such statement shall have been filed and recorded as herein provided, the clerk shall, if the description of any real estate of that county be contained therein, deliver it to the county recorder who shall index the same, both under the former name and under the new name as changed or adopted, in the manner of indexing transfers of real estate, and enter opposite thereto, the description of real estate as found in such statement; such indexing shall be in the index of transfers of land or town property according to the description of said real estate, or both as the case may be. The index shall also show the serial number of such statement and book and page where same is recorded in the office of the clerk of the district court, and the words, "change of name" shall be written on said index in red ink, at or opposite to the name.

"SEC. 7. **Fees.** The clerk shall receive a fee of one dollar (\$1.00) for his services, and shall also collect ten cents (10c.) for each separate description of real estate in the statement, which sum shall be paid to the recorder for indexing same. The clerk shall, upon demand of any party and the payment of the fee of one dollar (\$1.00), furnish a certified copy of such statement showing the serial number thereof, date of filing and the book and page of record of same; and, upon the payment of twenty-five cents (25c.) shall compare and certify to any correct copy of such statement furnished him for that purpose.

"SEC. 8. **New name—when effective.** Upon the expiration of thirty (30) days from the time of filing the statement herein provided for, the new name as changed or adopted therein shall become the legal name of the party filing such statement, and the surname of such new name shall become the legal surname of the wife and minor children of such person. No person shall change his or her name more than once under the provisions of this act.

"SEC. 9. **Certified copy—indexing real estate in other counties.** Within one year after the filing of such statement, the party changing his or her name, shall cause a certified copy thereof to be presented to the recorder of each county in Iowa where there is real estate the legal title to which is in such party, and pay such recorder ten cents (10c) for each separate description in such county, and such recorder shall index same in the manner prescribed in this chapter and return same.

"SEC. 10. **Misdemeanor.** Any person failing or neglecting to comply with the provisions of the preceding section, shall be guilty of a misdemeanor and punished accordingly."

Approved April 6, A. D. 1904.